

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT

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|-------------------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| MARK PALMER, |) | No. 4:14CR00175 AGF (DDN) |
| SAMUEL LEINICKE, |) | |
| CHARLES WOLFE, a/k/a "Chuck Wolfe," |) | |
| ROBERT WOLFE, and |) | |
| JOSEPH GABRICK. |) | |
| |) | |
| Defendants. |) | |

**GOVERNMENT'S SECOND MOTION FOR ADDITIONAL TIME TO FILE
RESPONSE TO DEFENDANTS' MOTIONS**

Comes now the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and James C. Delworth, Jennifer Winfield, and Erin Granger, Assistant United States Attorneys for said District, and for its Motion for Additional Time to File Responses to Defendants' Motion to Suppress Evidence (Doc. No. 225) and Defendants' Request for a *Franks* Hearing (Doc. No. 224), as well as its Request to Continue the currently scheduled evidentiary hearing states as follows:

1. Defendants are charged with *inter alia*, conspiracy to distribute and to possess with the intent to distribute Schedule I controlled substances and Schedule I controlled substance analogues intended for human consumption and conspiracy to introduce misbranded drugs into interstate commerce.
2. On October 7, 2015, the Court ordered that any motions to suppress should be filed no later than December 15, 2015. See Doc. 180.
3. On October 31, 2015, Defendants filed a motion to continue the deadline for filing

- pretrial motions to January 13, 2016 (Doc. 190) which was granted by the Court.
4. On January 13, 2016, Defendants filed another motion to continue the deadline for filing pretrial motions to February 16, 2016 (Doc. 203). The Court granted this request.
 5. On February 10, 2016, Defendants filed a third motion to continue the deadline for filing pretrial motions until March 1, 2016 (Doc. 207) which was granted by the Court.
 6. On March 1, 2016, Defendants filed a fourth motion to continue the deadline for filing pretrial motions until March 8, 2016 (Doc. 222) which was granted by the Court.
 7. On March 8, 2016, Defendants filed a motion to suppress evidence obtained pursuant to numerous search warrants (Doc. 225) and request for a *Franks* hearing. The Court set the evidentiary hearing for April 20, 2016. Following, on March 25, 2016, the Government filed its first request to continue the time to file a response to Defendants' motion to suppress and request for *Franks* hearing (Doc. 235).
 8. The Court granted the Government's request and gave the Government until May 13, 2016 to file its response.
 9. Presently, the Court has set the evidentiary hearing for May 27, 2016 at 9 A.M.
 10. Currently, counsel for the Government is finalizing its response. Assistant United States Attorney James C. Delworth is preparing this response and will be out of the office from May 10, 2016 through May 12, 2016. Due to the preparation needed to draft this response, as well as the Government's additional workload, the Government requests an additional four (4) days in which to respond to file a response to

Defendants' motion to suppress and request for *Franks* hearing.

WHEREFORE, Counsel for the Government respectfully request this Honorable Court to grant the government an extension of time, up to and including **May 17, 2016**, in which to file responses to Defendants' motion to suppress and request for *Franks* hearing.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

s/ Erin Granger
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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2016, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record.

s/ Erin Granger
ERIN GRANGER, #53593MO
Assistant United States Attorney